

Serial No. 10/640,089

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REMARKS

The claims of this application now stand rejected, either under 37 §102(b) or §103(a) over Grube et al., U.S. Patent No. 5,155,321. Grube is directed to apparatus for sintering of a powder, and is unrelated to the construction of a part having a free-form dimensions corresponding to a computer-aided design (CAD) description. Claim 1 has been amended to make it more evident that the instant invention resides in such a process, whereby parts of arbitrary geometry may be built in accordance with a CAD design. Accordingly, anticipation is avoided.

With respect to the obviousness rejection, Applicant disagrees that Grube, by itself, is sufficient to establish *prima facie* obviousness. Applicant notes that the Examiner does not cite any passages from Grube or other prior-art references, but rather, takes "official notice" as though the Examiner is one of skill in the art. Without further evidence, the continued rejection of this case is unjustified.

Questions regarding this application may be directed to the undersigned attorney by telephone, facsimile or electronic mail.

Respectfully submitted,

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